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Security Council

Seventy-second year

Provisional

7944th meeting
Monday, 22 May 2017, 10 a.m.
New York

President:	Mr. Rosselli	(Uruguay)
Members:	Bolivia (Plurinational State of)	Mr. Llorentty Soliz
	China	Mr. Liu Jieyi
	Egypt	Mr. Aboulatta
	Ethiopia	Ms. Guadey
	France	Mr. Delattre
	Italy	Mr. Cardi
	Japan	Mr. Bessho
	Kazakhstan	Mr. Umarov
	Russian Federation	Mr. Safronkov
	Senegal	Mr. Ciss
	Sweden	Mr. Skau
	Ukraine	Mr. Yelchenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Rycroft
	United States of America	Ms. Sison

Agenda

The situation in the Middle East

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

The President (*spoke in Spanish*): In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Staffan de Mistura, Special Envoy of the Secretary-General for Syria, to participate in this meeting.

Mr. De Mistura is joining us via video-teleconference from Geneva.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. De Mistura.

Mr. De Mistura: When I briefed the Security Council in April (see S/PV.7921), we saw two paths ahead — either international and internal escalation and deeper intra-Syrian conflict, or international dialogue, cooperation on de-escalating tensions and moving forward on the political track, even if only in small steps. So far, there are signs that together, we have chosen the latter course. Our common job now is to turn that into something more meaningful, both on the ground and on the political track.

In the beginning of May, I attended the high-level Astana meeting to stress that any attempt to de-escalate violence is what the Syrians want and is indeed vital, in and of itself, and can support Geneva, just as Geneva mutually supports Astana. In Astana, my team provided technical support to ceasefire guarantors — Russia, Turkey and Iran — and I was active in political consultations with all of them and with the Syrian parties. Jordan and the United States were represented as observers.

In my modest opinion, Astana produced a promising step — a memorandum between the three guarantors on the creation of de-escalation zones. The reports I have received so far indicate a significant drop in violence, including in aerial bombing in most of the areas identified by the memorandum. United Nations contacts on the ground have described tangible change, clear skies and areas quickly coming back to life. That is typical of the Syrian reality. Whenever there is a moment of peace or at least a halt in the fighting, they take their future and their present into their own hands. Markets have started functioning anew in those locations. We welcome this, and the efforts of the Astana guarantors should be praised because we want them to succeed. I thank the Kazakh Government for ably hosting the Astana meeting. That is the good news.

There is also not-so-good news. Despite the nationwide ceasefire that was announced last December and the de-escalation zones now being created to deepen that effort, we have received reports of ongoing hostilities and even bombardment between the Government and armed opposition groups in areas such as Hama, Homs and Damascus. Some of these areas appear to be outside of the current de-escalation zones. However, as Council members know, their precise areas and ambit will become clear only when the guarantors complete the extremely important so-called mapping process. These clashes resulted in another evacuation of armed opposition fighters and civilians from areas of eastern Damascus city, which are called Barzeh and Al-Qaboun. Separately, following the memorandum, we saw some Government attacks on armed opposition groups that are otherwise engaged in fighting Da'esh in the desert near Homs and Al-Suwaydah.

While we have registered that the Government of Syria has made some significant advances against Da'esh, we also note with great concern the continued activities of Security Council-listed terrorist groups. We condemn in particular the attack last week by the Islamic State in Iraq and the Levant (ISIL) on civilians in rural Salamiya, a very important and small community that has been there for hundreds of years, and the ISIL assault on Deir ez-Zor city, which is still ongoing today. These incidents show that, despite losing further territory this month, ISIL/Da'esh still has the capacity to cause great harm.

We are also aware of the reports that the anti-ISIL coalition has carried out strikes on an armed convoy, which allegedly was composed of forces of the Syrian Government and its allies in the desert east of Homs. I am also encouraged by the recent Government of Syria's agreements with armed opposition groups, which are resulting in the release of some detainees and abducted people.

All these facts remind us that there are still important details to clarify to ensure the full implementation of the Astana memorandum by all parties. We should therefore urge together the ceasefire guarantors to

address those details quickly, diligently and fairly within the time frame they themselves stipulated in the memorandum. All relevant international actors, specifically regional ones and the co-chairs of the International Syria Support Group, have a particular interest in this regard.

The United Nations remains ready to provide its technical expertise. Our goal is not just de-escalation but — at least on the military side — the realization of the nationwide ceasefire. Therefore, in order to make sure that the memorandum can be implemented fully, we have a common interest in ensuring that no party to the conflict takes advantage of any ambiguity on the ground or in the memorandum.

We urge all the parties, the Astana guarantors and those who have an influence on the parties to take steps to ensure rapid, safe and unhindered humanitarian access to the more than 4.5 million people in need in areas that are hard to reach and besieged. When there is a reduction of violence, that should be the first consequence — the first secondary positive effect. We have not seen enough of that. The United Nations stands ready to respond to any opportunity for increased humanitarian access based on the needs of the people and in line with international humanitarian law.

Finally, regarding Astana, we were encouraged to note that the guarantors seriously engaged in discussions on two additional subjects of importance to us and to the Syrians: detainees, abductees and missing people, and humanitarian demining. Indeed, on detainees, they finalized at the technical level an agreement on a process for addressing the issue in which the United Nations would be closely involved, and we are ready and willing to be so. I have therefore urged the Astana guarantors in writing to formally confirm that technical agreement as soon as possible. Meanwhile, the United Nations Mine Action Service, which is based in New York and was part of the United Nations team in Astana, is ready to do its part to advance an effective approach to humanitarian demining in Syria.

In the immediate aftermath of Astana, I invited the parties to the intra-Syrian talks to a sixth round in Geneva. They all came and met in a proximity format. The round was kept brief so as to proceed in a focused manner. It lasted four intense days, including one case of night/evening discussions. In the previous round, the parties had already begun to engage in substance across all four baskets of the agenda that the Security Council approved after the fourth round. They also had, in the previous case, showed that the process is now facing fewer obstacles related to possible walk-outs, procedural objections or long statements attacking each other or even questioning the other side's legitimacy. We strongly insisted on that, and we got it.

I do not deny that there are, of course, still major gaps between the parties, but we have also seen a deepening of the process across the baskets and a greater understanding of what is required if the parties are to succeed in negotiating a framework for a transitional political agreement that safeguards the sovereignty, unity, territorial integrity and independence of Syria, based on the Geneva communiqué (S/2012/522, annex) and resolution 2254 (2015), adopted by all Council members.

I assessed that the parties needed to be ready to roll up their sleeves. We had only four days and needed to make good use of them to go even deeper. Specifically, I saw an opportunity and a need to increase focus and work on the constitutional and legal dimensions of the talks as the talks proceed. Everything is touched by that; every question that comes up has either a constitutional or a legal aspect. Why not go in deeper? Why not prepare in advance of that? I think we can all agree that no stakeholder — be it Syrian, regional or international — will accept any constitutional, legal or institutional vacuum in Syria before, during or after any negotiated transitional political process. I believe that on that, at least, we all agreed. Most importantly, the process needed and needs to be owned by the Syrians. They are the ones who should be drafting their own constitution, but we can help in preparing the ground for it.

Therefore, to that end, I informed the parties that I intended to establish a technical consultative process to move forward and examine in greater depth the relevant constitutional and legal issues raised within the formal sessions. The sessions remain formal, but can we not go a little bit deeper, especially when the subject may have common ground? Can we not prepare better for the time when there will be a peace conference and many of those issues could be at least more or less, if not sorted out, at least prepared?

I therefore shared initial ideas with the participants in the talks, while sketching out a possible vision for that type of approach. That stimulated a very intense and, in my opinion, valuable discussion and many constructive

oral and written observations from the parties. We met the sides during the day and in the evening to answer their queries and urge them to indicate the basis of their own participation in the expert consultative process. That enabled us to move beyond the paper and the initial set of ideas that we had prepared, and to focus on the real deliverable, which was establishing a consultative process at the technical level as an additional, effective new tool and piece of architecture in the intra-Syrian talks process.

Participants wasted no time and on 19 May agreed on two separate technical meetings with experts from my own team. The first would be with experts from the Government, which until then had hesitated with respect to entering into any kind of expert group, and the second with experts from the delegation of the Syrian opposition that was announced on 11 February. Two additional technical aspect meetings were also held under the consultative process on 19 May with the Cairo and the Moscow platforms, respectively. The meetings were businesslike, constructive and informative. We can now say that the process is up and running, and it has already shown its own potential.

We also had constructive discussions on trying to find a formula through which experts from the Cairo and the Moscow platforms might join, at least, the expert meetings of the delegation of the Syrian opposition announced with its own composition on 11 February. Intensive conversations on that took place within the main opposition and between it and all the platforms, and we should encourage them to make that a reality during the next round, That would send an important new message of the opposition's unity.

As members of the Security Council know and have mentioned, the opposition has indicated that I should invite the High Negotiations Committee and the Cairo and the Moscow platforms. We have all thought and hoped that, one day — at least, with regard to some technical areas — that could be the beginning of their sharing a common pool of ideas. That might be an initial step towards a common understanding concerning some of the issues, and international and regional actors, such as the members of the Security Council, in my opinion, should do everything that they can to support it so that we might enjoy a unified opposition as soon as possible. Although we realize that it is not an immediate prospect — as borne out by the fact that we cannot see it happening immediately — we hope that it would bring us closer to the possibility of direct negotiations between the Government and the opposition.

I would like to thank once again the Women's Advisory Board, which has been providing valuable feedback on the United Nations proposal with regard to a technical consultation process. In fact, it came up with many valid ideas that we were able to use, as well as timely and constructive suggestions concerning the process, in general, with a view to making it as inclusive as possible for all Syrian men and women. Furthermore, today, in two hours, I will begin engagement in a series of in-depth consultations with representatives of Syrian civil society. They are important, particularly at the point at which we have arrived. Such consultations have already provided us with much insightful and practical advice.

Finally, I would like to acknowledge and express appreciation for the support of the members of the Council, who actively participated in Geneva, the International Syrian Support Group and the other countries that have dispatched their own senior officials or envoys for Syria to the Geneva talks. Their close involvement and efforts in consulting with me and engaging the sides so as to bring them closer to a possible formula remain an invaluable tool of diplomatic leverage for my own mediation efforts. I also welcome the fact that, regardless of what side of the conflict the groups were closer to, they all welcomed and supported some of the United Nations proactive, concrete proposals to the parties.

Before concluding, I should like to add a few important points of clarification concerning the meetings of experts so as to be clear about what they are and what they are not, and, importantly, what the link with the four baskets is and what it could be.

First, the meetings of experts are not intended to replace formal negotiations. That process is intended to support the four baskets and the principle of parallelism, which remain the focus of the talks' agenda. We agreed on that. The work of the experts remain fully framed within the terms of reference, which we all know as the intra-Syrian talks. We were unable to enter into in-depth discussions on the four baskets during that round, but we spoke of important issues concerning both parties. We hope to address those more substantially during the next round of talks.

Secondly, our focus on constitutional, legal issues does not in any way take away the Syrian people's right

to draft and determine their own constitutional future. We do not seek to draft a new Syrian constitution in Geneva, Astana or anywhere else. Instead, we are laying the foundations for when the Syrians are able to do so. Nevertheless, in Geneva the United Nations is ready to help prepare the ground for that because much homework remains to be done.

Thirdly, any legally and constitutionally solid framework agreement will require an important underlying technical structure and details. We hope that the experts can work continuously through those details together or separately. In that regard, I have also strongly encouraged the experts to hold meetings between the rounds of the Geneva talks, not just during them. However, if anyone wants to meet only during the talks, they are welcome. The experts will not make any decisions, but rather propose options — solid, well thought out and thoroughly discussed options — to the official participants in the formal talks.

Naturally a great deal of work remains to be done. We are aware that important gaps remain among the parties with regard to major issues, but we have established an agenda, gone into substance on all baskets and taken a new, further step towards preparing the ground for real negotiations, which, I hope, will be possible in the near future. For the first time, we have received the consent of all parties to engage with us on an expert, solid and concrete level. Furthermore, I am pleased that all parties were receptive to the United Nations convening a seventh round that we intend to schedule some time in June.

The United Nations in Geneva has begun to help the Syrian parties to put the building blocks in place for real negotiations on a real political solution, while we hope that Astana will contribute to ensuring that the de-escalation works. During the past few weeks, several important meetings of key international and regional leaders that are taking place as we speak and will take place in various capitals have all produced important statements on the need to find a political solution in Syria. With the help of the Council and the Secretary-General's guidance, we are doing our part to incrementally find a political agreed framework in accordance with resolution 2254 (2015).

The President (*spoke in Spanish*): I thank Mr. De Mistura for his briefing.

I shall now make a statement in my capacity as the representative of Uruguay.

We reiterate our full support for the Special Envoy of the Secretary-General for Syria, Mr. Staffan de Mistura, and his entire team. We thank them for their tireless efforts and their willingness to push ahead, in spite of the notorious obstacles that repeatedly emerge.

We welcome the fact that yet another round of negotiations has taken place and that some progress made on the four baskets of issues on the Geneva agenda, in particular with regard to the drafting of a new constitution. Nonetheless, it is important to step up efforts and set earlier deadlines to achieve a political transition that would gradually restore a sense of normalcy to the country. Once again, we reiterate our conviction that there is no military solution to the conflict and that we will be able to emerge from this labyrinth and put an end to the humanitarian tragedy only through a process of political transition agreed to by the Syrian people and with mediation by the United Nations. We trust that unilateral action that would prevent us from reaching that goal will be avoided, which would give the Security Council greater credibility as a key player in resolving the crisis.

As we mentioned on previous occasions, the United Nations and the Special Envoy are not protagonists in the tragedy that has been occurring in Syria since 2011; they are merely mediators, assisting the parties to the conflict. The primary responsibility for ending the conflict lies directly with the Syrian people, and in particular with the Government, on the one hand, and all individuals and entities that make up the opposition, including armed groups, on the other. We support the efforts of the Special Envoy to ensure that the process towards a political transition in Syria is genuinely inclusive and we commend him on his commitment to working with large sections of Syrian civil society, religious leaders and women's groups. Third States — those in the region and outside of it that are direct or indirect participants in the situation in Syria — also bear responsibility in the conflict.

In that regard, Uruguay understands that the Security Council's responsibility in this issue is to continue putting pressure on and persuading the parties to remain at the negotiating table and make gradual and tangible progress on the road map outlined in resolution 2254 (2015). It is essential now more than ever to strengthen political will in the various multilateral forums in which the Syrian crisis is discussed — the Security Council, negotiations in Geneva and the Astana process. The memorandum that established four safe

zones in Syria, signed in early May in Astana, appears to have been a step forward towards achieving the goal of strengthening the ceasefire and in reducing the extremely high levels of violence in the majority of areas in Syria.

Although we do not yet have detailed information on how the agreement will be implemented, we are nonetheless concerned that, thus far, provisions have not been made for the unimpeded access of the United Nations to the interior of those zones. It is essential that humanitarian access be guaranteed and that the civilian population be allowed to move freely and be able to enter and leave those areas, as they please.

The Syrian crisis, with its high economic and humanitarian costs, has led to the spread of a even more extremist type of terrorism, which creates greater instability in the Middle East and throughout the world. After more than six years of war, a peaceful solution to the conflict in Syria is a moral imperative for the Council and for the entire international community. We urge the parties to the conflict — those that have influence with them and those that, in one way or another, take part in the conflict — to cease hostilities, engage in good-faith negotiations, and reach an agreement that would allow the Syrian people to open a new chapter on peace and national reconciliation.

I now resume my functions as President of the Security Council.

I give the floor to those Council members who wish to make statements.

Mr. Yelchenko (Ukraine): We are grateful to Special Envoy De Mistura for his continued efforts and commitment to the political resolution of the Syrian conflict.

We regret the fact that the latest round of intra-Syrian talks in Geneva did not bring much progress. A breakthrough did not happen because the main ingredient for a sustainable solution — trust — is missing . The lack of trust is poisoning the current environment and dooms the Syrian people to more suffering. We are appalled by the reports that the Syrian regime is now using cremation to hide mass murders at Sednaya prison, where thousands are believed to have been executed.

The general idea of de-escalation zones is welcome; however, the devil is always in the details. Thus far, we are short of them. Still, we support all efforts that genuinely seek to de-escalate violence in Syria and guarantee sustainable humanitarian access. However, any talk on de-escalation zones is meaningless without a credible enforcement mechanism. Forgive me for being frank, but we really do not see how this ceasefire/de-escalation is any different from the previous initiatives that ultimately failed. The general idea does not seem to be new — we witness a short period of calm followed by another wave of escalation, when the regime feels prepared for a new major offensive at a time and location of its choosing. We have yet to hear what the real tools are to prevent such a scenario from recurring.

Another problem is the Syrian regime's commitment to fighting the Islamic State in Iraq and the Sham (ISIS), which is clearly lacking now. In the meantime, the regime and its allies are using the de-escalation agreement to shift focus to the east, trying to seize ground from anti-ISIS rebel forces in Al-Badia. How else would one interpret the numerous attacks by the pro-regime forces on multiple fronts against the Free Syrian Army (FSA), which is waging a relentless war on ISIS? Here are the words of Tlass Salameh, a commander of one of the FSA units that is leading the fight against ISIS:

> "The regime is trying to cut us off from our front line with ISIS because they want to be the ones to move from the southern desert up towards eastern Syria and Deir ez-Zor. Imagine that — they have ISIS behind them and instead they are bombing us, the ones fighting ISIS there."

If anything, it only proves yet again that the regime is sticking to its long-standing strategy of using military force to eliminate the Syrian opposition instead of ISIS. Indeed, the fight against ISIS has always been secondary to the regime and its allies. Why is that? Perhaps Damascus wants to leave the international community with a difficult choice: Al-Assad or ISIS. It is therefore imperative that the Council make absolutely sure that the de-escalation zones are not used as yet another tool of the regime and its allies to regroup forces and prepare for an assault.

Finally, we remain convinced that unless serious pressure is applied on Damascus and an accountability mechanism is established in Syria, we will not see any progress on the political track.

Mr. Llorentty Soliz (Plurinational State of Bolivia) (*spoke in Spanish*): Bolivia thanks the Special

Envoy of the Secretary-General for Syria, Mr. Staffan de Mistura, for his briefing. Once again, we express our support for his efforts.

We welcome the outcome of the sixth round of peace talks, held in Geneva last week under the auspices of the United Nations, on the four baskets of issues referring to governance, constitution, elections and the fight against terrorism. At the same time, we highlight the willingness demonstrated by the parities involved. Similarly, we commend the leadership shown by the Special Envoy in establishing an additional mechanism to strengthen the peace talk — meetings with experts on legal and constitutional experts to foster and facilitate the process of political dialogue in Syria.

We also highlight and praise the great step forward taken by the guarantors of the ceasefire — Russia, Iran and Turkey — during the Astana meeting on 4 May, in which a memorandum to create four de-escalation and safe zones was adopted with a view to preventing incidents and putting an immediate end to any kind of armed confrontation, as well as to improving the unconditional deployment of humanitarian assistance and to creating conditions favourable to progress toward reaching a political solution to the conflict in the Syrian Arab Republic. That achievement strengthened the guidelines of resolutions 2254 (2015) and 2336 (2016), and was recognized by the Secretary-General in his press statement of 4 May as an encouraging measure.

We note with great hope that the parties involved, the regional actors and the ceasefire guarantors are taking specific actions to strengthen the path towards political dialogue and to maintain the ceasefire, which has been the most long-lasting since the beginning of the conflict and which, fortunately, has remained stable as a result of the joint efforts of Russia, Turkey, Iran and Kazakhstan. In that regard, we reiterate our call on the parties to the conflict to lay down their weapons once and for all and refrain from any belligerent behaviour, because a political process is the only way to resolve this conflict.

Despite that remarkable process, we see that completely illegal, unilateral military actions are still occurring, not only affecting the stability of the political process and the agreements designed to strengthen it, but also undermining the sovereignty and integrity of the Syrian Arab Republic and Government efforts to combat Da'esh. We reiterate and stress that we must not allow unilateral actions that contravene the principles of the Charter of the United Nations to be an obstacle to reaching peace in Syria, to the detriment of the lives of its inhabitants — all the more so when such actions are taken by actors outside the process of the political dialogue.

Lastly, we express our support for continued dialogue, both in Geneva in June and in Astana in July, and the result thereof, which would be a process led by and for the Syrian people with respect for the sovereignty, independence and territorial integrity of that country.

Mr. Umarov (Kazakhstan): We thank the Special Envoy of the Secretary-General for Syria, Mr. De Mistura, for his update. We have always believed that there is no military solution to the Syrian conflict and that dialogue is, therefore, the only path to peace. Kazakhstan therefore commends the Special Envoy for his efforts to reach a peaceful resolution to the conflict in Syria, and for his steadfast commitment and indomitable determination, which have enabled the international community to come this far. His input into the Astana talks, which are intended to support the Geneva process, have, therefore, facilitated the search for common political ground as well as the respect of the ceasefire for humanitarian purposes.

Nonetheless, we find that the Geneva talks have experienced difficulties. Although no one has been expecting miracles, we share the view of the Special Envoy that the parties to the conflict now have a clear agenda to pursue a political solution. We applaud the parties to the Geneva negotiations for demonstrating political maturity and for undertaking efforts to implement the provisions of resolution 2254 (2015).

Kazakhstan has high regard for all of the efforts undertaken by the Russian Federation, the Republic of Turkey and the Islamic Republic of Iran to consolidate the ceasefire in the Syrian Arab Republic through the launching of the Astana process between the Government of the Syrian Arab Republic and the armed opposition groups. Those countries, with their in-depth knowledge of and enviable expertise in the political and humanitarian situation on the ground, have succeeded in bringing the parties to the negotiating table under the most complex and sensitive conditions.

We also value highly the participation of the observers from the United States of America and the Hashemite Kingdom of Jordan at the recent Astana meeting. We believe that rapid, safe and unhindered

humanitarian access should be provided. Meanwhile, the conditions necessary for the delivery of medical aid to the local population should be created so as to meet the basic needs of civilians. Furthermore, Kazakhstan remains committed to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic, as well as to ensuring the continuity of State institutions.

Kazakhstan welcomes the adoption of the memorandum on the creation of de-escalation areas in the Syrian Arab Republic, signed in Astana on 4 May. It will surely decrease the hostilities between the parties to the conflict. We attach the utmost importance to compliance with ceasefire agreements by the parties to the conflict and their enforcement by guarantor States. All agreements reached in Astana must not simply remain on paper; instead, they must produce tangible results if the credibility of the world community and the Syrian people involved in the negotiation process is to be maintained.

The Astana talks form an integral part of Geneva process. Geneva is the main venue for negotiations on the Syrian settlement under the auspices of the United Nations, where the political part of the agenda is discussed. However, it is important to understand that the success of the Geneva process is intertwined with the results of negotiations in the Kazakh capital. Kazakhstan welcomes the efforts of the Special Envoy and the results of the sixth round of the intra-Syrian negotiations, which were held from 16 to 19 May in Geneva.

Finally, Kazakhstan is ready to support Mr. Staffan de Mistura in his efforts to continue negotiations in Geneva and in Astana. We call on the Council to do everything possible to assist him in achieving the speedy cessation of bloodshed and a peaceful settlement of the situation in Syria.

The President (*spoke in Spanish*): There are no more speakers inscribed on my list.

I now invite the members of the Council to continue informal consultations so as to continue our discussion on the subject.

The meeting rose at 10.45 a.m.